

Hearing Date: April 20, 2022 at 10:00 am
Objection Date: March 15, 2022
Reply Date: March 31, 2022

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

Fairfield Sentry Limited, et al.,
Debtors in Foreign Proceedings.

Fairfield Sentry Limited, et al. (In Liquidation),
acting by and through the Foreign Representatives
thereof,

Plaintiffs,

– against –

Theodoor GGC Amsterdam et al.,
Defendants.

FAIRFIELD SENTRY LIMITED (IN
LIQUIDATION), et al.,

Plaintiffs,

-against-

ABN AMRO SCHWEIZ AG, et al.,

Defendants.

Ch. 15 Case

Case No. 10-13164 (CGM)

Jointly Administered

Adv. Pro. No. 10-03496 (CGM)

Administratively Consolidated

**ORAL ARGUMENT
REQUESTED**

Adv. Pro. No. 10-03635 (CGM)

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Harmony Capital Fund Ltd.’s Motion to Dismiss the Plaintiffs’ Fifth Amended Complaint dated August 11, 2021, in the above-captioned action, set forth as Exhibit A hereto, and all prior pleadings and proceedings herein, Defendant Harmony Capital Fund Ltd. (“Harmony” or “Defendant”) will move this Court for an order dismissing with prejudice the complaint filed by

the Liquidators of Fairfield Sentry Limited and Fairfield Sigma Limited, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendant does not consent to the entry of final orders or judgment by this Court.

Dated: October 29, 2021
New York, New York

Respectfully Submitted,

KATTEN MUCHIN ROSENMAN LLP

By: /s/ Anthony L. Paccione

Anthony L. Paccione
Mark T. Ciani
575 Madison Avenue
New York, New York 10022
Tel. No.: (212) 940-8800
Email: anthony.paccione@katten.com
Email: mark.ciani@katten.com

Counsel for Harmony Capital Fund Ltd.

TO: All Counsel of Record